

UNANIMOUS CONSENT  
AGREEMENT—S. 1215

Mr. MCCONNELL. Madam President, I ask unanimous consent the Senate now proceed to the consideration of S. 1215, the Burma sanctions bill; that there then be 60 minutes of debate equally divided under the control of myself and the Democratic leader or his designee; further, that no amendments be in order other than a substitute amendment and a technical amendment to that substitute. I ask unanimous consent that following the debate time and the disposition of the above amendments, the bill be read a third time and the Senate proceed to a vote on the passage of the bill, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I will have none. But when the matters that have just been agreed upon have been completed, we will then have another amendment on the Energy bill. It will be offered by the distinguished Democratic Senator from Florida with reference to an inventory of the Outer Continental Shelf assets, inventory that is provided for in the bill. He will move that be taken out. That will be debated tonight and voted on tomorrow.

Mr. REID. Reserving the right to object, the two leaders have indicated that we would have more debate on that in the morning, however, on the offshore oil inventory. I don't know what time they are going to schedule a vote, but I think it will be sometime in the morning and that will be worked out later tonight.

Mr. DOMENICI. I would like to comment, before we proceed, just a further 30 seconds?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. We have been working very hard to get a complete list—I think we are very close—of amendments we can agree to and put at the desk. As everybody knows, a lot is riding on this Energy bill: a full ethanol package; soon there will be the renewables that many are relying on in this country which have extenders that are required that are part of the tax amendments that are going to go on this bill. Those are providing for the existing—continuation of the renewables in the area of wind and Sun and others. If we do not get the bill moving, none of that moves along.

So I do ask all Senators who have amendments to concur that they can write them up, get them in, get them on this list so we know where we are and when we might look for daylight on this bill. I yield the floor.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, I say to the distinguished Senator from New Mexico, the chairman of the com-

mittee, we have a list on our side. We are now waiting. Tentative lists have been exchanged by the two sides. As far as we are concerned, we are ready at any time to enter into that agreement. We do have a finite list of amendments. As soon as we get a finite list of amendments from the majority, a unanimous consent agreement could go forward at that time.

Mr. DOMENICI. Madam President, I thank the distinguished Senator for his cooperation. That is a true statement.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the assistant Republican leader? Without objection, it is so ordered.

BURMESE FREEDOM AND  
DEMOCRACY ACT OF 2003

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1215) to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

The PRESIDING OFFICER. The assistant Republican leader.

Mr. MCCONNELL. Madam President, the situation in Burma is indeed dire and requires our immediate response. We will make that response within the next hour.

S. 1215, which is now the pending business in the Senate, has 56 cosponsors. I particularly want to thank Senator FEINSTEIN, who will be speaking on this measure, and Senator MCCAIN, who have had a particular interest in this subject for quite some time.

Until yesterday, Aung San Suu Kyi and other democracy activists have been held incommunicado by the repressive State Peace and Development Council, SPDC, following an ambush on her convoy several hundred kilometers north of Rangoon. Scores are feared murdered and injured in this blatant assault on democracy in Burma.

In the 11th hour of his trip to Rangoon, the SPDC finally allowed U.N. Special Envoy Razali Ismail a 15-minute meeting with Suu Kyi. We are all relieved that his initial statements indicate that she is alive and unharmed, but the fate of other activists arrested remains unknown.

But simply seeing is not freeing. Razali's meeting with Suu Kyi was not a private one and she remains under the total control of SPDC thugs. Her continued silence in the wake of this bloodshed could not be more deafening, nor—despite Razali's brief visit—her predicament more pressing.

Horrific details of the attack continue to emerge and heighten the need for a swift and decisive response to the SPDC's brutality.

According to Monday's front-page article in the Washington Post, in the "pitch dark amid the rice paddies" thugs posing as Buddhist monks stopped Suu Kyi's car. Soon after, a

crowd "set upon her convey, attacking the entourage with wooden clubs and bamboo spikes. . . . Several hundred more assailants ambushed the motorcade from the rear."

This is no simple act of harassment or intimidation. It was an act of terrorism against innocent civilians who simply believe in democracy and the rule of law in Burma.

The free world and free press have been quick to condemn the SPDC. But strong words from foreign capitals must be matched by stronger actions.

Last week, I introduced the Burmese Freedom and Democracy Act of 2003, along with Senators FEINSTEIN and MCCAIN. As I indicated earlier, we now have 56 cosponsors. I ask unanimous consent that the list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1215 COSPONSORS

Akaka, Alexander, Allard, Allen, Baucus, Bennett, Biden, Bingaman, Boxer, Breaux, Brownback, Bunning, Burns, Chambliss, Clinton, Coleman, Collins, Corzine, Daschle, Dayton, Dole, Domenici, Dorgan, Durbin, Edwards, Feingold, Feinstein, Frist, and Grassley.

Hagel, Harkin, Hutchison, Jeffords, Kennedy, Kerry, Kyl, Lautenberg, Leahy, Levin, Lieberman, Lugar, McCain, Mikulski, Murkowski, Murray, Nelson, Ben (Nebraska), Reid, Rockefeller, Santorum, Sarbanes, Schumer, Smith, Specter, Stabenow, Voinovich, and Wyden.

Mr. MCCONNELL. Madam President, this bill, among other sanctions, imposes a ban on imports from Burma.

I am pleased that many of my colleagues—including the majority and minority leaders of the Senate and the chairmen and ranking members of the Senate Foreign Relations and Finance Committees—are cosponsors of this important legislation.

Let me share with my colleagues some of the feedback we have gotten from around the country on the act:

An editorial in today's Los Angeles Times stated:

[Burma's] trading partners, other countries in the region and aid givers like Japan need to get tougher by imposing sanctions and aid suspensions to push the country toward democracy; that's the outcome Myanmar's citizens show they favor every time they get the chance.

By the way, they haven't gotten a chance since 1990.

A Washington Post editorial yesterday advised that because Burmese dictators "control the nation's economy, an import ban would affect those most responsible for Burma's repression, and senators supportive of democracy in Asia should vote for the bill without conditions or expiration dates."

Deputy Secretary of State Rich Armitage recently wrote:

. . . we support the goal and intent of this legislation and agree on the need for many similar measures. . . . We are also considering an import ban, as proposed in your legislation.

A June 6 editorial in the Washington Post suggested that:

While the [Burmese Freedom and Democracy Act] moves through Congress, Mr. Bush could implement many of its provisions by executive order. He could find no better way to demonstrate his commitment to democracy and his revulsion at a brutal dictatorship.

A New York Times editorial endorsed the import ban and recommended that:

Europe . . . should now block Myanmar's exports as well. The junta has had a year to demonstrate that its opening was genuine. Now all ambiguity is gone, and the world's response must be equally decisive.

A Boston Globe editorial stated that President Bush:

. . . could and should issue an executive order that would swiftly accomplish [an import ban]. This is not a partisan matter. The great lesson that ought to have been learned in the last century is that free democrats betray their unfree brothers and sisters when they seek to appease dictatorships.

Dallas Morning News editor at large Rena Pederson, who also penned a superb article on this topic in the Weekly Standard, wrote in an op-ed:

The strongest possible pressure must be turned on the Burmese generals, who apparently calculated their opposition could be decapitated while the world was preoccupied with events in the Middle East. They shouldn't be allowed to get away with such a cowardly fast one. The Bush administration should support tougher sanctions now. Senator Mitch McConnell, R-KY., is pushing for increased sanctions.

That is the bill we have before us.

"He will need help . . ."

And we obviously are going to have help with 56 cosponsors, and I hope a very overwhelming vote shortly.

"He will need help, or the Bush administration could accomplish the same thing by executive order."

A Baltimore Sun editorial rightly concluded: ". . . this regime ought to be treated somewhat like North Korea, from which imports have long been barred."

Finally, in endorsing the act, the American Apparel and Footwear Association called upon "the rest of Congress for the swift and immediate passage of such import legislation."

The idea of a ban on imports from Burma is not a new one to this body. In the 107th Congress, S. 926 sought to impose such restrictions and was cosponsored by 21 Senators. I would offer that the need for an important ban has only become more urgent in the wake of the May 30 attack on democracy in Burma.

Supporters of a free Burma want America to take the lead in defending democracy in that country.

Supporters of a free Burma believe that serving the cause of freedom is America's challenge and obligation. We should not abandon the people of Burma during the greatest moments of need. The people of Burma have made their aspirations known, and the regime has not silenced them into submission. They have not stilled their hearts for political change and they will not succeed in stemming our collective resolve.

Supporters of a free Burma agree with President Bush that:

Men and women in every culture need liberty like they need food and water and air. Everywhere that freedom arrives, humanity rejoices; and everywhere that freedom stirs, let tyrants fear.

It's time for tyrants to fear in Burma.

I ask unanimous consent that the following items be printed in the RECORD: a Washington Post article dated June 9; a letter from Under Secretary of State Rich Armitage; editorials from the Los Angeles Times, and the Baltimore Sun, and a Rena Pederson article in the Weekly Standard.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 9, 2003]

#### ATTACK ON BURMESE ACTIVIST SEEN AS WORK OF MILITARY

(By Alan Sipress and Ellen Nakashima)

BANGKOK, June 8.—Burmese opposition leader Aung San Suu Kyi's motorcade was rattling along a pocked one-lane road near Mandalay in Northern Burma after the sunset when a pair of men, disguised in the burnt orange robes of Buddhist monks, motioned for it to stop. They asked her to alight and make an impromptu speech to at least 100 people gathered at a narrow bridge over a creek and blocking her way, according to Burmese exiles who spoke with witnesses. But she was running late. It was already pitch dark amid the rice paddies.

When one of her bodyguards, a young unarmed man, got out of the four-wheel-drive vehicle to convey Suu Kyi's regrets, the crowd set upon her convoy, attacking the entourage with wooden clubs and bamboo spikes, according to the exiles and diplomats who also have spoken to witnesses. Several hundred more assailants ambushed the motorcade from the rear.

By the time the battle was over late in the evening of May 30, at least four of Suu Kyi's bodyguards were dead. Burmese exiles and diplomats said scores of her supporters were also probably killed. And Suu Kyi, the 1991 Nobel Peace Prize laureate, suffered head and shoulder injuries, they said, when her car windows were shattered and she was detained by Burmese soldiers along with at least 17 supporters.

U.S. and other diplomats have concluded that the attack was an ambush orchestrated by Burma's military rulers and carried out by a pro-government militia reinforced by specially trained prison inmates.

Suu Kyi, 57, has remained in custody, incommunicado and out of public sight ever since, prompting protests from the United Nations, the United States and other governments.

The attack was not only a stunning bid to intimidate Suu Kyi and deflate a pro-democracy movement that over recent months had been attracting larger and larger crowds despite mounting governmental harassment, according to exiles and diplomats in Rangoon and Bangkok. It was also an effort by Burma's top leader, Gen. Than Shwe, who had been consolidating control in recent months, to make clear he had lost patience with those in the military advocating dialogue with Suu Kyi.

"This was a brutal power play to show them who is in charge here," a European diplomat said. "This was a message from Than Shwe to the softies in the military that you [had] better watch out. You are not to tolerate Aung San Suu Kyi."

Although supporters of political reform have despaired of progress for months, the attack outside Mandalay—the bloodiest con-

frontation since Burma crushed a pro-democracy uprising in 1988—could mark the end to the spring of hope that began almost exactly one year ago.

Under intense international pressure, the Burmese government had released Suu Kyi from house arrest in May 2002. Some high-ranking military officers had calculated that Suu Kyi's popularity had faded during her detention and that she no longer posed the same threat as she had in 1990 when her party, the National League for Democracy, won a landslide election victory. Burmese and other analysts said. Those results were voided by the military, plunging Burma into its current political crisis and a decade of international isolation.

The Burmese government, however, discovered that Suu Kyi still attracted jubilant crowds when she traveled the country reopening nearly 200 local offices for her party. Tens of thousands turned out to chant her name. Many supporters walked miles to see her. Increasingly, her rallies drew Buddhist monks, who command great respect in Burmese society, further alarming the military.

"They are worried that despite all the threats they can employ against the pro-democracy movement, people are continuing to go out and see Aung San Suu Kyi," said Win Min, a Burmese researcher who studies civilian-military relations.

Suu Kyi, who has always preached reconciliation, was also becoming openly critical of the government's unwillingness to engage in meaningful dialogue for a political settlement. The optimism that accompanied her release from house arrest had long dissipated.

These developments were an affront to Than Shwe, the junta's leader, who so loathes Suu Kyi that, as one European diplomat said, he "hates even to hear her name mentioned."

Than Shwe, 70, chairman of the ruling State Peace and Development Council and armed forces commander, has moved since last year to strengthen his grip on power. He has beefed up the United Solidarity and Development Association, the pro-government militia that witnesses said attacked Suu Kyi's motorcade. He has manipulated the military, government and courts to weaken his leading rivals while placing his loyalists in influential post, said diplomats and Burmese exiles.

"Than Shwe has been taking his time," said Zin Linn of the opposition National Coalition Government of the Union of Burma. "He has purged many of the senior military men who are soft-liners and are in some way impressed with Aung San Suu Kyi" and Tin Oo, the vice chairman of her party.

Most notably, Than Shwe's ascent has come at the expense of Gen. Khin Nyunt, 64, the head of military intelligence and a leading advocate of dialogue with Suu Kyi. His patron, former dictator Gen. Ne Win, died in December. While Khin Nyunt remains the third-highest-ranking official in the junta, his authority in running military intelligence has been limited and he has told diplomats that he no longer has a mandate to pursue the reconciliation talks, which had been mediated by U.N. special envoy Razali Ismail.

The dispute pits so-called pragmatists, such as Khin Nyunt, who believe Burma can string out the talks with Suu Kyi while placating foreign governments, against officers urging that the pro-democracy movement be crushed. But diplomats and analysts stress that the military is united in its determination to retain power.

Suu Kyi's recent month-long swing through northern Burma offered an opportunity for Than Shwe to deliver a resounding message to the pragmatists that their moment had passed, diplomats and exiles said.

As expedition to the northernmost state of Kachin, which began May 6, was her seventh road trip since her release. It was meant in part to bolster the morale of loyalists in her party, who were disappointed that the reconciliation talks had ground to a halt, said Debbie Stothard, coordinator of ALTSEAN-Burma, a human rights group in Southeast Asia.

The trips, especially this last, had provoked growing harassment by the government, which has staged protests by machete-wielding activists, blasted music to drown out Suu Kyi's speeches and blocked her way with logs and barbed wire. At least once, a firetruck turned its hoses on her supporters.

If the military wanted to escalate the confrontation, Sagaing Division northwest of Mandalay was a good place, Burmese exiles and diplomats said. This impoverished region is the stronghold of Lt. Gen. Soe Win, a Sagaing native and former military commander in the area. He was promoted by Than Shwe in February to the junta's fourth-highest position. Soe Win is also a leading activist in the militia and had toured several towns earlier this year demanding that dialogue with Suu Kyi be halted.

Diplomats and exiles said they have received reports that Soe Win was at a military headquarters in nearby Monywa either during or shortly before the ambush against Suu Kyi's motorcade. Exiles said they believe he ran the operation.

Military officials knew Suu Kyi was coming. She had been required to give them her itinerary.

"Clearly, orders were given for a violent attack," a U.S. Embassy official in Rangoon said.

The following account of the May 30 attack was provided by that official based on the findings of a two-person U.S. Embassy team dispatched to Sagaing Division late last week to investigate the incident. Much of the story has been corroborated by information from witnesses provided to other diplomats and exiles.

As Suu Kyi's motorcade traveled north toward the town of Dipeyin about two miles from Monywa, it was met by 100 to 200 people at the bridge. Most of them were disguised as monks but shed the costumes when the fighting erupted. About 400 other convicts and militia recruits disguised as monks with shaved heads, and wearing white armbands, blocked the motorcade from behind.

Though Suu Kyi's supporters tried to assuage the mob, the assailants began beating them and smashing the vehicles' windows. Trying to stave off the attack and shelter Suu Kyi, members of her party stood on the road and locked arms.

At the site, the investigating team found bloodied clothes, clubs and spears, broken glass and debris from damaged vehicles.

"It was pretty clear that a big fight had taken place," the embassy official said.

The team's findings contradict the brief version provided by the government—that the confrontation lasted two hours and was provoked by Suu Kyi's party. The government said four people were killed and 50 others injured.

The U.S. team reported that gunfire was heard in the middle of the night when the army arrived to clean up the site. According to other accounts, gunshots rang out during or shortly after the clash.

Reports reaching other diplomats and exile groups said Suu Kyi's driver, trying to remove the democracy activist from the melee, gunned the engine as the crowd pounded the car with rocks and other objects. She was detained by security forces farther down the road in Dipeyin.

Tin Oo, 75, the vice chairman of Suu Kyi's party, was assaulted when he left his car, ac-

cording to Burmese exiles, who have expressed concern about his condition and whereabouts.

Following the attack, the military closed most of the party's offices across Burma, arrested other democracy activists and criticized Suu Kyi's movement in the press. Some suggest that these steps were part of a planned, concerted crackdown, not just a hurried attempt to prevent Suu Kyi's supporters from protesting the attack and arrests. They noted that in the weeks before the incident, 10 activists from the opposition party were arrested and sentenced to prison terms of two to 28 years.

Since the attack, more than 100 party activists have been arrested and at least a dozen imprisoned, said Stothard, coordinator of the human rights group.

Those killed trying to protect Suu Kyi, or "The Lady," as she is popularly known, reportedly included Toe Lwin, 32, a rising star in the party's youth division who held a philosophy degree and was studying English in Rangoon, a Western diplomat said. He was in Suu Kyi's vehicle, wearing his orange opposition party jacket with its red badge emblazoned with a gold fighting peacock. Suu Kyi treated these supporters as "surrogate sons," and saw in them a future generation of political leaders, Stothard said.

Suu Kyi is being held at Yemon military camp, about 25 miles outside Rangoon, without access to her doctor, party members or Western envoys, concerned diplomats said.

"If they lift her incommunicado status, she will speak," a European diplomat said. "She will speak the truth and this will be damaging for them."

DEPUTY SECRETARY OF STATE,  
Washington June 6, 2003.

Hon. MITCH MCCONNELL,  
Chairman, Subcommittee on Foreign Operations,  
Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: We are outraged by the May 30 attack on Aung San Suu Kyi and her convoy. The deteriorating conditions in Burma are of grave concern to the Administration and we appreciate your leadership in advancing legislation to respond to these events.

The Department of State also appreciates the opportunity to review and comment on the "Burmese Freedom and Democracy Act of 2003 (S. 1182)," which you introduced on June 4, 2003. We fully support the goal and intent of this legislation and agree on the need for many similar measures. For example, we are working on a unilateral expansion of the visa ban, extending it to all officials of the Union Solidarity Development Association (part of the SPDC) and their immediate families, rather than just to senior officials, as is current practice. We will also be adding managers of the state-run enterprises and their families to the list.

We agree on the need to prevent IFI funds going to the junta. We will continue to use our voice and vote in those institutions to oppose loans that benefit the military regime. We also agree on the need to express strong support for the NLD, and are doing so in every international forum in which the United States participates, including at the UN. Also significant are the findings of the annual Country Report on Human Rights Practices, Trafficking in Persons Report and Report on International Religious Freedom, which identify and strongly condemn known SPDC abuses. The President's Annual Report on Major Drug Transit or Major Illicit Drug Producing Countries has also identified Burma as a country that demonstrably has failed to meet its international obligations regarding narcotics.

In addition to the above efforts, which are already underway, we are determined to pur-

sue additional measures against the regime, including an asset freeze, a possible ban on remittances and, with appropriate legislation, a ban on travel to Burma. We hope to move forward with these measures expeditiously and with the support of the Congress. We are also considering an import ban, as proposed in your legislation. We support the intent behind the ban but are reviewing the proposal in light of our international obligations, including our WTO commitments.

Again, thank you for your leadership on this issue and your commitment to the cause of freedom. We look forward to working with you on the bill.

Sincerely,

RICHARD L. ARMITAGE.

[From the Los Angeles Times, June 11, 2003]

#### FREEZE MYANMAR ASSETS

The military thugs running Myanmar finally may have opened their eyes to the esteem in which Aung San Suu Kyi is held outside their nation. They already knew how much their oppressed citizens thought of the woman who should be leading the nation formerly known as Burma: The huge numbers greeting her on her journeys around her country provided graphic evidence of her popularity.

Harboring despots' fears of ouster by a charismatic pro-democracy leader, the army rulers arrested Suu Kyi, again, after a deadly attack on her motorcade May 30. However, they let United Nations representative Razali Ismail meet with the democracy activist Tuesday after stalling for days.

Delay is not new for Razali, who has sought for two years to push the nation's autocrats toward democracy. He deserves credit for insisting on a meeting with Suu Kyi, so does his boss, U.N. Secretary-General Kofi Annan, who denounces the generals.

In 1947 a political rival assassinated Suu Kyi's father, an architect of the independence movement. Forty years later, his daughter began campaigning against the military regimes that ruled the country for much of its post-independence history. In 1990, she and her party won a parliamentary election but the military scrapped those results and kept her under house arrest. It also refused to let her leave to receive her 1991 Nobel Peace Prize or to be with her husband as he lay dying in England.

But a year ago, the junta let Suu Kyi travel again. Seeing her popularity undimmed, the government organized the May 30 ambush of her motorcade and cited the violence as cause for her arrest. She was held incommunicado until Razali met her. Nearby nations like Thailand and Malaysia feebly protested the assault and arrest.

The U.S. Congress is considering tougher measures to freeze the assets of the Myanmar government held in the United States and to bar the country's leaders from traveling here.

Those steps are warranted unless Suu Kyi is released and allowed to travel freely. The United States and other countries earlier imposed economic sanctions on Myanmar that devastated its economy. Trade with Thailand and China, plus the export of narcotics, has kept it afloat.

The trading partners, other countries in the region and aid givers like Japan need to get tougher by imposing sanctions and aid suspensions to push the country toward democracy; that's the outcome Myanmar's citizens show they favor every time they get the chance.

[From the Baltimore Sun, June 6, 2003]

#### SQUEEZE THE JUNTA

A top United Nations envoy was to arrive today in Myanmar, formerly known as

Burma, and not a moment too soon: Human rights and democracy once again are under siege by the narco-state's ruling military party.

The United Nations is demanding that Yangon's generals release 1991 Nobel Peace Prize laureate Aung San Suu Kyi, arrested Saturday after a violent attack on her pro-democracy party by security forces.

The violence, in which activists allege scores were killed, and the subsequent closing of Myanmar's universities and all of the offices of Ms. Suu Kyi's National League for Democracy mark a sudden darkening of the new dawn proclaimed last May when the military regime last released her from house arrest, promising dialogue with the NLD aimed at national reconciliation.

The renewed repression begs for stronger economic sanctions by the United States to squeeze this illegal junta.

This is a regime that competes with North Korea on human-rights abuses—including long quashing the NLD, a legally elected opposition party. As U.N. Secretary General Kofi Annan recently put it, the political aspirations of the Burmese people "are overwhelming in favor of change."

In 1990, Ms. Suu Kyi's party crushed the military's candidates in Myanmar's last legal parliamentary election; since then, she has spent much of the time under house arrest. In response, the United States barred new American investments in Myanmar in 1997. But that didn't end the involvement of Unocal Corp., the California energy giant, in a 1995 deal with the junta to extract natural gas off the Burmese coast and transport it via a 250-mile pipeline—a project allegedly built with forced labor and accompanied by military murders and rapes.

As a result, Unocal faces a groundbreaking federal lawsuit brought by international activists for 15 unnamed Burmese villagers under a 1789 U.S. statute allowing lawsuits against U.S. multinational corporations, holding them abroad to the same standards as at home. The outcome could be far-reaching; the Bush administration has weighed in on Unocal's side, arguing that such human-rights cases interfere with U.S. foreign policy and the war on terrorism.

This is precisely the wrong stance. Instead, the U.S. government ought to be moving quickly toward tightening the screws on Myanmar's generals and anyone keeping them afloat financially.

Trade sanctions against Myanmar were proposed last year but dropped when Ms. Suu Kyi was last released. This week, House and Senate bills were entered that call for an import ban and other sanctions, all of which seem fully warranted. Already, a leading U.S. apparel and footwear trade group and many large retailers—from Wal-Mart to Saks—are boycotting Burmese goods.

In other words, this regime ought to be treated somewhat like North Korea, from which imports have long been barred. Granted, Myanmar doesn't pose North Korea's nuclear threat, but it plays such a major role in the world's heroin trade that it's a destabilizing force internationally.

Ms. Suu Kyi is again detained and her party remains under attack because Myanmar's generals figure they can get away with it. The United States must send a stronger message that that's no longer an option.

BURMA'S JUNTA "DISAPPEARS" THE  
COUNTRY'S LEADING DEMOCRAT

(By Rena Pederson)

In the Trademark manner of thugocracies, Burma's military government, seeking to silence its critics, sent a mob to attack the motorcade of longtime democracy activist

Aung San Suu Kyi on the night of Friday, May 30, as she traveled to a speaking engagement in the north of the country. The Nobel Peace Prize winner was assaulted and taken to an undisclosed location.

The government would say only that she had been placed in "protective custody" and that she had not been injured. But reports persisted that Suu Kyi had suffered a severe blow to the head and possibly a broken arm. Inside Burma, it was said that hundreds of her supporters had been murdered; international news agencies reported at least 70 killed and 50 injured. At least 18 people were believed detained.

"The problem with getting an accurate story about what happened is that everyone who could speak the truth in Burma is under arrest," said one democracy advocate in Washington. The government controls the only two newspapers and TV stations, and the leading journalist is in prison. One in four citizens reportedly spies for the government, so everyone is guarded about what is said in public.

Nevertheless, clandestine sources inside Burma that have proved reliable in the past report that hundreds of armed men attacked the motorcade, some disguised as Buddhist monks. Some were convicts released at the government's behest. They beat Suu Kyi's supporters with bamboo clubs three feet long and riddled her car with bullets. The window was shattered, and either a rock or a brick was thrown at Suu Kyi's head while she was seated in the car. Several students reportedly tried to shield her with their bodies, but they were beaten severely, and she was dragged away bleeding. According to this account, she was taken to a military hospital for stitches and then transferred to Yemon military camp about 25 miles from Rangoon.

Plainly, Suu Kyi, who is 57 and weighs about 100 pounds, faces long odds—though not for the first time. Since 1988, she has been standing up to one of the most brutal regimes in the world. In the process, she has become the photogenic symbol of democracy in Asia. In 1990, her party, the National League for Democracy, won 80 percent of the vote in elections the junta mistakenly had thought they could control. Instead of seating the winners in parliament, the generals threw many NLD leaders in jail and placed Suu Kyi under house arrest, where she remained for most of the ensuing 13 years.

In this country, few people know her name, much less how to pronounce it (awn sawn soo chee). But her story has the sweep and drama of "Gone With The Wind." Her father, General Aung San, was a leader of the democracy movement in Burma after World War II and was expected to become the first president after Great Britain relinquished control. He was assassinated when his daughter was only 2. His wife, a wartime nurse, went on to become ambassador to India.

Suu Kyi was educated at Oxford and married a fellow student, who became a professor of Tibetan studies. She lived quietly in England as a wife and mother of two boys until her own mother suffered a stroke in 1988, and she returned to Burma to care for her. In riots that year, soldiers shot and killed more student demonstrators than would die in 1989 at Tiananmen Square. Suu Kyi was entreated to stay and help lead the democracy effort, which she did, at great personal sacrifice. She has seen her sons only sporadically since. And four years ago, as her husband was dying of cancer, the junta refused to grant him a visa to visit her.

The international response to her rearrest has been near unanimous condemnation. In the midst of peace negotiations in the Middle East, President Bush expressed his deep concern and called for the immediate release of Suu Kyi and her supporters, as did United

Nations Secretary General Kofi Annan. The most tepid responses came from Burma's Southeast Asian neighbors, who have their own concerns about stability. They asked for an explanation of Suu Kyi's detention, but would not demand her release. Japan, the leading investor in Burma, said the situation was not "good" and dialogue was needed for a democratic solution.

It will be up to the United States to increase pressure on the Burmese generals, who apparently thought they could decapitate their opposition while the world was concentrating on the Middle East. The Bush administration must back up its words with actions. On Capitol Hill, Sen. Mitch McConnell, a Kentucky Republican, and Rep. Tom Lantos, a Democrat from California, moved to toughen existing sanctions on Thursday. They will need help. As the Boston Globe pointed out, President Bush could issue an executive order that would accomplish the same thing.

The world hardly needs another crisis at this moment, but the situation in Burma could be destabilizing. Burma has been seeking aid from China, its neighbor to the north, which wouldn't mind having Burma as a vassal state providing port access to the Indian Ocean. That prospect has alarmed India, its neighbor to the west. At the same time, Thailand, to the east, is overwhelmed by the thousands of refugees pouring across the border each day to escape the rapacious Burmese military.

Further complicating the picture, Burma is one of the world's largest producers of heroin and amphetamines. Drug dealers are often seen playing golf with high-ranking generals and hold high positions in major banks. And, oh yes, Burma has one of the fastest-growing AIDS rates in the world—and one of the worst health systems.

When I spoke with Aung San Suu Kyi in February, she expressed frustration that the junta had not opened a dialogue with her party after her release from house arrest in May 2002. "The government promised that it would begin discussions about the transition to democracy," she said. "They have not. They promised they would release all political prisoners. They have not." And they promised to allow the publication of independent newspapers. She asked with a wry smile, "You haven't seen one, have you?"

This spring she began speaking out more forcefully. When she ventured into the northern states two weeks ago, thousands of supporters risked their lives to greet the woman they call "the Lady." Government harassment then increased. On May 24, 10 NLD members were jailed. On May 29, the day before the ambush, clashes broke out between government supporters armed with machetes and NLD backers, leaving several dead.

Even if Aung San Suu Kyi eventually emerges unharmed, the movement for free elections has been set back by the violent turn of events. The main office of the National League for Democracy, in Rangoon, has been closed, padlocked, and placed under guard, and other party offices have been shuttered. Universities, too, have been shut to prevent student protests.

"The Lady" is in greater jeopardy than ever before. It remains to be seen what the long-repressed Burmese people and the much-distracted international community will do about it.

Mr. MCCONNELL. Madam President, I note that Senator FEINSTEIN is here. I yield the floor and retain the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. I thank the Chair, and I also thank the distinguished Senator from Kentucky for his leadership on this issue. I am very proud to join with him.

Madam President, in 1996, Senator William Cohen and I introduced a sanctions bill on Burma. It passed in 1996, and was signed by the President. In 1997, the sanctions were exercised.

We had a brief period of hope during that time, and the ASEAN nations were going to be helpful. It looked like the military junta was going to be receptive. Then, recently, for a brief period, Aung San Suu Kyi, the democratic leader of Burma, was released, and discussions took place. Well, that was short lived and this diabolical attack took place on Aung San Suu Kyi.

According to reports, her motorcade was met by 100 to 200 people at a bridge near Mandalay in northern Burma. Most of these people were disguised as monks. Another 400 people—convicts and other militia recruits who were also disguised as monks—blocked the convoy from the rear. Both groups then discarded their costumes and attacked the entourage with bamboo sticks and wooden clubs, smashing vehicles and beating up their targets. Officially, four people were killed and 50 injured. Witnesses contend that as many as 70 may have been killed and many more injured.

This is outrageous. The level of coordination, the deception, and the brutality of the crimes cannot go unanswered. They really demand a forceful and a substantive response that makes clear the United States will not deal with this junta and will not tolerate such blatant disregard for common human decency.

This legislation sends a message. It says: We will not import their products. And those Burmese exports to the United States are about 25 percent of what Burma exports. So it is a considerable message. It has to be remembered, Aung San Suu Kyi is the democratic leader of Burma. She has never been permitted to serve. Her people have been arrested. Members of the Parliament have been arrested and held in custody. Over 1,300 political prisoners are still in jail, many of them elected parliamentarians. The practice of rape as a form of repression has been sanctioned by the Burmese military. The use of forced labor is widespread. Trafficking in young boys and girls as sex slaves is rampant, and the government engages in the production and distribution of opium and methamphetamine. So the United States must act. Now, in general, I do not support trade embargoes as an effective instrument of foreign policy. However, there are certain circumstances—South Africa was one of them, largely because of the world response, and the world saying enough is enough—where there must be change, and where we are prepared to carry out these sanctions together to effect that change. I hope in this sense the United States will lead the way to

enact these sanctions in a meaningful way in which other nations will follow.

Our legislation imposes a complete ban on all imports until the President determines and certifies to Congress that Burma has made substantial and measurable progress on a number of democracy and human rights issues.

As Senator MCCONNELL will indicate, there is a provision in the legislation, similar to the most favored nation status for China, that will allow an annual review of this to assess progress. It allows the President to waive the ban should he determine and notify Congress that it is in the national security interest of the United States to do this. It would freeze the assets of the Burmese regime in the United States. It directs United States executive directors at international financial institutions to vote against loans to Burma. It expands the visa ban against past and present leadership of the junta, and it encourages the Secretary of State to highlight the abysmal record of the junta in the international community.

Now, Senator MCCONNELL mentioned that both business and labor are united in support of this legislation. He said the American Apparel and Footwear Association, which represents apparel, footwear, and sewn products companies and their suppliers, has called for this ban. The president and CEO has stated—and I think this is worth being in the RECORD—"The government of Burma continues to abuse its citizens through force and intimidation, and refuses to respect the basic human rights of its people. AAFA believes this unacceptable behavior should be met with condemnation from not only the international public community, but from private industry as well."

So well said.

A number of stores, including Saks, Macy's, Bloomingdales, Ames, and The Gap have already voluntarily stopped importing or selling goods from Burma. The AFL-CIO and other labor groups also support this legislation.

In addition, the International Labor Organization, for the first time in its history, called on all ILO members to impose sanctions on Burma.

Such diversity in support of this legislation speaks volumes about the brutality of this military junta and its single-minded unwillingness to take even a modest step toward democracy and national reconciliation.

And to add to it, Aung San Suu Kyi, the democratic leader, is once again being held in custody. This is unacceptable.

The military junta knows full well they do not enjoy the popular support of the Burmese people. That is why they resort to such actions.

As Aung San Suu Kyi traveled the country, and thousands turned out to hear her speak, the junta realized that after years of house arrest and repression, they had failed to curb the power of her message of democracy, of human rights, and the rule of law. They real-

ized that the Burmese people were determined to see the democratic elections of 1990 fully implemented without delay. So in a cowardly and despicable manner they took this action.

Now we must take action. We must take a stand on the side of the people of Burma and on the side of the values we cherish the most.

I urge support and I hope it will be unanimous.

Thank you very much, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I ask unanimous consent that Senator KOHL be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I say to my friend from California, as she was describing the provisions of the bill, the way it is now structured, we will have an annual debate about whether or not these sanctions should be lifted. It will be reminiscent of the most favored nation debates that we had annually regarding the People's Republic of China, which has now graduated to a new status.

But if ever there were a regime that deserved an annual review by those of us here in the Congress, this is a regime that deserves that. So I think that is a debate we are going to look forward to having.

Would you not agree, I say to my friend from California?

Mrs. FEINSTEIN. I certainly agree, I say to the Senator through the Chair. I think it would be very useful. And I think when the recalcitrance, the repression, is on the floor of this Senate every year, hopefully it will be helpful in changing the minds of this military junta.

Mr. MCCONNELL. Madam President, I first introduced a bill on this subject back in 1993. It is one of these issues that, I must regretfully say, you take an interest in and follow over a period of time and never see anything change. There is never any progress that could be measured—until a year or so ago when the junta led Aung San Suu Kyi basically out of house arrest. We were supposed to applaud that as some kind of remarkable step in the direction of recognizing the outcome of the election in 1998 in which she and her party got 80 percent of the vote. She won the Nobel Peace Prize in 1991 while she was essentially incarcerated. She remained under house arrest—except for about a year or so—ever since.

Various strategies have been tried. The Thai Prime Minister, who was in town yesterday—some of us talked with him, and I know he met with the President—this new Prime Minister in Thailand decided to engage in what he called "constructive engagement." Obviously, constructive engagement doesn't work. What this regime needs is to be isolated. I know there are some skeptics even in this body with regard to the ability of sanctions to have a real impact.

Let me tell you, if there is one place in the world where sanctions worked, it was South Africa. The reason it worked there is because everybody participated and they were truly isolated. They became a pariah regime throughout the world, and that led to the dramatic changes that brought Nelson Mandela to power after decades in jail.

That can happen here. The United States needs to lead. Secretary Powell is going out to the ASEAN regional forum in Phnom Penh on June 18 and 19 next week. This is an opportunity for him to put it at the top of the agenda.

I said to the Thai Prime Minister that I thought constructive engagement wasn't working and they needed to join with us and help us lead the other ASEAN countries in the direction of a sanctions regime, on a multilateral basis, that could shut these people down. Some would say, well, if you have effective economic sanctions, it hurts the people. It doesn't hurt the people in Burma because the regime takes all profits off of the exports. They make money on the exports and the drug traffic, which they are quite good at.

So this regime needs to be squeezed by the entire world, isolated, and that is a strategy that we hope to begin today with the passage of this legislation in the next 30 or 45 minutes.

I know on our side, Senator McCain wants to speak, KAY HUTCHISON wants to speak, and, I believe, Senator BROWNBACK wants to speak. How much time remains?

The PRESIDING OFFICER. There are 15 minutes 43 seconds.

AMENDMENT NO. 882

Mr. MCCONNELL. Madam President, there is a substitute amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for himself, Mrs. FEINSTEIN, Mr. MCCAIN, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COLEMAN, Ms. COLLINS, Mr. CORZINE, Mr. DASCHLE, Mr. DAYTON, Mrs. DOLE, Mr. DOMENICI, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mr. FRIST, Mr. HAGEL, Mr. DORGAN, Mr. BURNS, Mr. KOHL, Mr. HARKIN, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. KYL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REID, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH, Mr. SPECTER, Ms. STABENOW, Mr. VOINOVICH, Mr. WYDEN, Mr. GRASSLEY, and Mr. BAUCUS, proposes an amendment numbered 882.

Mr. MCCONNELL. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 883 TO AMENDMENT NO. 882

Mr. MCCONNELL. Madam President, there is a technical amendment to the substitute at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for himself, Mr. GRASSLEY, and Mr. BAUCUS, proposes an amendment numbered 883 to amendment No. 882.

Mr. MCCONNELL. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify the duration of certain sanctions against Burma, and for other purposes)

On page 5, line 5, insert "and except as provided in section 9" after "law".

Beginning on page 7, line 23, strike all through page 8, line 3, and insert the following:

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this Act, the term "appropriate congressional committees" means the Committee on Foreign Relations, the Committee on Finance, and the Committee on Appropriations of the Senate and the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

On page 8, beginning on line 5, strike all through line 13, and insert the following:

(1) IN GENERAL.—The President may waive the prohibitions described in this section for any or all products imported from Burma to the United States if the President determines and notifies the appropriate congressional committees that to do so is in the vital national security interest of the United States.

On page 11, beginning on line 16, strike "Committees on Appropriations and Foreign Relations of the Senate" and all that follows through "House of Representatives" on line 19, and insert "appropriate congressional committees".

On page 12, beginning on line 1, strike "Committees on Appropriations and Foreign Relations of the Senate" and all that follows through "House of Representatives" on line 4, and insert "appropriate congressional committees".

On page 12, after line 16, insert the following:

(3) REPORT ON TRADE SANCTIONS.—Not later than 90 days before the date that the import restrictions contained in section 3(a)(1) are to expire, the Secretary of State, in consultation with the United States Trade Representative and other appropriate agencies, shall submit to the appropriate congressional committees, a report on—

(A) conditions in Burma, including human rights violations, arrest and detention of democracy activists, forced and child labor, and the status of dialogue between the SPDC and the NLD and ethnic minorities;

(B) bilateral and multilateral measures undertaken by the United States Government and other governments to promote human rights and democracy in Burma; and

(C) the impact and effectiveness of the provisions of this Act in furthering the policy objectives of the United States toward Burma.

SEC. 9. DURATION OF SANCTIONS.

(a) TERMINATION BY REQUEST FROM DEMOCRATIC BURMA.—The President may terminate any provision in this Act upon the re-

quest of a democratically elected government in Burma, provided that all the conditions in section 3(a)(3) have been met.

(b) CONTINUATION OF IMPORT SANCTIONS.—

(1) EXPIRATION.—The import restrictions contained in section 3(a)(1) shall expire 1 year from the date of enactment of this Act unless renewed under paragraph (2) of this section.

(2) RESOLUTION BY CONGRESS.—The import restrictions contained in section 3(a)(1) may be renewed annually for a 1-year period if, prior to the anniversary of the date of enactment of this Act, and each year thereafter, a renewal resolution is enacted into law in accordance with subsection (c).

(c) RENEWAL RESOLUTIONS.—

(1) IN GENERAL.—For purposes of this section, the term "renewal resolution" means a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: "That Congress approves the renewal of the import restrictions contained in section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003."

(2) PROCEDURES.—

(A) IN GENERAL.—A renewal resolution—

(i) may be introduced in either House of Congress by any member of such House at any time within the 90-day period before the expiration of the import restrictions contained in section 3(a)(1); and

(ii) the provisions of subparagraph (B) shall apply.

(B) EXPEDITED CONSIDERATION.—The provisions of section 152 (b), (c), (d), (e), and (f) of the Trade Act of 1974 (19 U.S.C. 2192 (b), (c), (d), (e), and (f)) apply to a renewal resolution under this Act as if such resolution were a resolution described in section 152(a) of the Trade Act of 1974.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the substitute amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 882) was agreed to.

Mr. MCCONNELL. I ask unanimous consent that the technical amendment to amendment No. 882 be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 883) was agreed to.

Mr. MCCONNELL. Madam President, I will retain the remainder of my time, if I may.

Mrs. FEINSTEIN. Madam President, I will just use a quick minute. I mentioned some of the retail establishments supporting this but I left out a couple. I mentioned Saks Fifth Avenue, and there is also Macy's, the Gap, Bloomingdale's, Ames, Williams Sonoma, IKEA, Wal-Mart, Nautica, and Pottery Barn. I am very proud of these retail establishments for standing up and joining us. I wanted to recognize that on the floor.

Mr. MCCONNELL. Madam President, I am glad the Senator from California mentioned those important corporations. Obviously, they could conceivably benefit from low-cost imports but they are choosing not to allow the regime to make a profit off of these American corporations. They deserve our commendation.

I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Madam President, I ask unanimous consent to be able to proceed on the time controlled by Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Madam President, I rise in support of the efforts of Senator MCCONNELL and Senator FEINSTEIN and acknowledge the leadership of Senator BAUCUS, as well, in working this out. Senator MCCONNELL has been tireless in his efforts to promote democracy in Burma and has been an acknowledged leader in this area. I thank him for not relenting.

I think it is to state the obvious that it is vital for us to express our concern for the freedom of Aung San Suu Kyi, leader of the National League for Democracy and a winner of the Nobel Peace Prize. On May 30, Government-affiliated thugs ambushed an automobile convoy carrying the leader and many of her supporters. Dozens of people were reportedly killed and injured in the crash. She was detained by Government authorities, who also ordered the NLD offices closed nationwide.

Aung San Suu Kyi remains under arrest, and the Government has refused to allow supporters or members of the diplomatic community to meet with her.

When Burma's military rulers freed Aung San Suu Kyi of house arrest last year, they claimed her release was unconditional and they pledged to continue the U.N.-facilitated dialog, which led to her freedom. With last month's premeditated attack and her current detention, the junta has abrogated all of its commitments and warrants no more time.

It is not hard to discern the motives of the junta.

They are scared. They are scared the people of Burma will rally and remove them from power, and they are right to be afraid. As Aung San Suu Kyi has toured schools, hospitals, businesses, and government organizations around Burma, she has been met by joyous crowds, and it is obvious to all observers that she remains as loved by the people of Burma as the military junta is reviled. It is time for the present military oligarchy to fade into history.

Burma's transition to democracy would be a most welcome development for all of Southeast Asia.

Despite pledges to crack down on narcotics production, the military continues to collaborate with heroin and methamphetamine traffickers. It has failed to address the legitimate demands of ethnic minorities for significant regional autonomy within a federal state, preferring military pressure to political accommodation.

The generals have enriched themselves while bankrupting the country.

They have dismantled Burma's education system and ignored the growing threat to public health posed by AIDS, malaria, and tuberculosis. As the State Department notes with characteristic understatement in its most recent human rights report:

The quality of life in Burma continues to deteriorate.

That may be the understatement of the month. It is well past time for the generals to do what they said they would do; namely, begin a process that would eventually transfer the reins to a representative civilian government that would enjoy domestic and international legitimacy.

Unfortunately, there are few indications that the regime intends to step down. Indeed, they apparently had high hopes the United States Government, taking note of Aung San Suu Kyi's release last year, would take steps to lift the many sanctions imposed when the army brutally suppressed Burma's democracy movement in 1988. The regime spent \$450,000 to retain the services of a prominent Washington lobbying firm to help push the President and Congress to normalize relations, restore access to international financial institutions, and resume foreign aid.

They were willing to spend \$450,000 to improve their image, but last year the officials operating the government spent less than \$40,000 nationwide on HIV/AIDS care and prevention. Each of the nation's 35,000 primary schools receives on average less than \$1 from the central government each year; \$35,000 for the national education budget; \$450,000 for lobbying in Washington.

No amount of money can hide the character of the Burmese military rulers. As the United States people stood with Nelson Mandela in his bid for freedom and democracy for the people of South Africa, so we should now stand with those who are moving Burma toward a free and open society and the National League for Democracy as they try through peaceful means to end the tyrannical, brutal rule of Burma's military rulers.

Again, I thank Senators MCCONNELL and FEINSTEIN for their leadership in this area, and I am confident we will win wide support of our colleagues. It is time that we are clearly standing on the right side of this issue.

The PRESIDING OFFICER. The assistant Republican leader.

Mr. MCCONNELL. Madam President, I thank my friend, the ranking member of the Foreign Relations Committee, for his contributions to the debate. I very much appreciate it.

I yield 8 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I thank my colleague from Kentucky, Senator MCCONNELL, for his leadership, and I thank the Senator from California, Mrs. FEINSTEIN. I thank Senator MCCONNELL for his longstanding support of this brave and heroic person and the movement she leads.

Several years ago, I happened to visit Myanmar, which I will refer to from now on as Burma. I had the great honor—one of the great honors of my life—to meet this incredible hero, this incredible leader, this incredible person who has spent her life under duress, under punishment, under pressure, under house arrest, even to the point of physical mistreatment at the hands of this gang of thugs that runs and has ruined this country.

I will never forget the day I met her. I will never forget the grace, the dignity, and the heroism that was clearly radiating from every part of this incredible person who very appropriately has been recognized with the Nobel Peace Prize.

I remind my colleagues that she has been kept under house arrest for many years. She was released in 1995 finally, and then she was again confined to house arrest in 2000. Just a few days ago, as a motorcade of about 250 people drove through, about 500 armed soldiers, members of the military-backed Union Solidarity and Development Association, and an unknown number of convicts recruited from Mandalay prison with the promise of reward and freedom rushed and attacked it.

In the ensuing melee, which lasted about an hour, the attackers beat up NLD members, shot them with catapults, soldiers opening and firing, killing and wounding a large number of NLD members.

Aung San Suu Kyi was taken into custody in an unknown place. Apparently, thank God, according to the U.N. envoy, Mr. Ishmael, she is in good physical condition.

This junta has ruined the country. It has deprived the people of their fundamental freedoms. This gang of thugs has mistreated this great person in the most disgraceful fashion. She should be free. She should be free to lead her country as was already endorsed by one free and fair election overwhelmingly.

Why did they do that this time? Because everywhere Aung San Suu Kyi went, the people welcomed her by the thousands, and the junta could not stand it. So they had to kill her people, her supporters, and they had to throw her back into prison.

What did one of the leaders who is supposed to be a moderate, whom I also met when I was in Burma, GEN Khin Nyunt—remember that name—say? He said:

Everyone needs to abide by the rules and regulations to be observed everywhere.

Adding:

It is to be noted that the basic human rights would not protect those who violate an existing law.

What existing law? What existing law that would ever be judged a legitimate law in any court in the world was Aung San Suu Kyi in violation of when they killed her supporters, mistreated her, and put her back into prison?

I do not know why the Japanese, the Thais, the Chinese, and the ASEAN nations, that ostensibly are supposed to



be standing up for freedom and democracy, are not doing everything possible to punish this regime, free this incredible person, and let the people of Burma have a free and fair election.

I thank, again, Senator MCCONNELL. I point out that we should be taking every single measure possible, and I do not believe the Secretary of State should attend the ASEAN gathering in Phnom Penh, Cambodia, unless Aung San Suu Kyi and the situation in Burma are No. 1 on the agenda of ASEAN. Are we going to sit by and watch the brutalization of a people, the imprisonment of a Nobel Peace Prize winner, and the repression and devastation of a nation be carried out by a gang of thugs that call themselves generals? I hope not.

I hope the message today in the legislation we are considering, thanks to the Senator from Kentucky, is a message that this is the beginning—this is the beginning—of our efforts to free this person and to free the people of Burma.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I strongly support the Burmese Freedom and Democracy Act of 2002 that has been introduced by Senators MCCONNELL and FEINSTEIN. The legislation, as was said, seeks to pressure the military junta in Burma to release Aung San Suu Kyi, and to help bring democracy and human rights to Burma.

Several days last week—in fact, time and time again—Senator MCCONNELL came to the floor to speak on this issue. I want to commend my colleague, the senior Senator from Kentucky, for his steadfast leadership. I associate myself gladly with his remarks. I have also joined him as an original cosponsor of this legislation.

The message the legislation sends to the ruling junta in Burma is clear: Its behavior is outrageous. By any standard anywhere in the world, its behavior is outrageous. Aung San Suu Kyi is the rightful and democratically elected leader of Burma. It is that simple. Aung San Suu Kyi is the rightful, elected leader of Burma, and the ruling junta does not want her to take office because they know that their days of repression, corruption, torture, and murder would be over. She and her fellow opposition leaders must be immediately released.

This legislation also sends a clear signal to the administration, to ASEAN members, and to the international community that we need to turn up the heat on this illegitimate regime.

The efforts of Senators MCCONNELL and FEINSTEIN are already having an impact. On June 5, 2003, our State Department issued a strong statement, which reads:

The continued detention in isolation of Aung San Suu Kyi and other members of her political party is outrageous and unacceptable.

I agree. But we all know that U.S. actions can only go so far. Bringing democracy and human rights to Burma is going to require active pressure from Burma's neighbors in Southeast Asia, particularly Thailand, Japan, and China. I hope they apply the pressure for human rights and democracy that many of them profess to support. They should disavow the failed policies of engagement.

I am pleased to see that the McConnell-Feinstein legislation attempts to trigger a process to ratchet up the regional pressure on the Burmese Government. I am glad to see that the United States has demarched every government in Southeast Asia on this issue. I agree with the Bush administration on this very much. We have to bring this kind of pressure. As Senator MCCONNELL has pointed out, the administration could, on its own initiative, impose many of the sanctions called for in this legislation.

All of us were relieved yesterday when the U.N. envoy in Burma was finally able to see Aung San Suu Kyi. According to CNN, the U.N. envoy said that she shows no sign of injury following clashes with the pro-government group. His exact words were:

She did not have a scratch on her and was feisty as usual.

That is indeed good.

I was also glad to see the U.N. envoy calling on the members of the ASEAN to drop the organization's policy of nonintervention. He stated:

ASEAN has to break through the strait-jacket and start dealing with this issue. . . . The situation in Burma can only be changed if regional actors take their positions to act on it.

I agree. The international community has the responsibility to act together to pressure the SPDC. The time, if there ever was a time, for appeasement is over. It is always a time for democracy to flourish. Democracy has spoken. It is being held back by the junta in Burma. It is time for them to step aside.

I see the distinguished senior Senator from Kentucky in the Chamber. I again commend him for his leadership, and I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Kentucky.

Mr. MCCONNELL. I thank my good friend from Vermont for his important contribution in this debate and his kind words about how we got to this point. Ultimately, I guess we will all be judged by whether or not this is effective, I say to my friend from Vermont. For these sanctions to be truly effective, we have to lead and the rest of the world has to join us in sanctions of a regime that truly operates on a multilateral basis like those that worked in South Africa.

I ask unanimous consent that Senator CAMPBELL be added as a cosponsor to this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today I am pleased to express my

strong support for the Burmese Freedom and Democracy Act of 2003. This bill sends a powerful message to the ruling military junta in Burma that their violent restrictions against freedom and democracy will not be tolerated and will have serious consequences. Their recent actions have yet again demonstrated to the world that this junta cannot be trusted.

The international community cannot allow the crimes committed by the Burmese military against the rightfully elected leader of Burma, Aung San Suu Kyi, her followers, and the Burmese people to go unpunished. So, it is my great hope that the actions that the Senate is taking today will provide the international leadership needed to put the spotlight on the Burmese military junta and make them change their ways.

I know that other countries, including the European Union, are also considering sanctions against Burma. A multilateral effort must be made so that we send the right message and so that our efforts are as effective as possible.

I am proud to be an original cosponsor of the Burmese Freedom and Democracy Act of 2003. I look forward to continuing to work with my colleagues to help bring freedom and justice to the Burmese people.

Mr. KENNEDY. Mr. President, when Aung San Suu Kyi and her supporters were so viciously assaulted last month, Burma's brutal leaders were responsible for yet another major crime against human rights. The violent repression of these democracy activists is a tragic and appalling example of the Burmese Government's shameful and continuing suppression of genuine reform.

Only a year ago, Suu Kyi had been released from one of her previous house arrests in Burma, and that arrest had lasted 19 months. This new atrocity has outraged the world once again, and stronger action by the United States and the entire international community is long overdue.

The Burmese Freedom and Democracy Act calls for stiffer economic sanctions and the immediate release of Suu Kyi and her supporters. She won the Nobel Peace Prize in 1991 for her inspiring courageous leadership. Again and again, she shows us why she deserves it. She is an inspiration to all who care about justice and human rights.

Mrs. HUTCHISON. Mr. President, I stand today in support of S. 1182, introduced by Senator MCCONNELL that I am cosponsoring. This bill answers the rising concern that democracy cannot begin to take its first promising steps in Burma. The news in the last few days clearly indicates that democracy in Burma is in serious trouble again.

On Friday, May 30, in its latest crackdown against the National League of Democracy, Burma's military regime detained Aung San Suu Kyi, a popular prodemocracy activist,



and other leaders of her political party. There are reports that her car had been hit by gunfire, and conflicting reports whether she had been hurt.

The clash came in a town 400 miles north of the capital city of Rangoon. She was transported to Rangoon where she remains under house arrest. It took nearly 2 weeks of constant international pressure on Burma's military regime for a United Nation's envoy to visit her yesterday. The envoy reported she is in good spirits and had not been hurt in the clash that resulted in her detention, but Burmese officials still refuse to give a timetable for her release.

When Aung San Suu Kyi was detained, the Burmese Government closed the offices of the National League of Democracy and arrested some of its provincial leaders. They also closed all university and college campuses. The Burmese military government is acting with renegade abandon.

The detention of Aung San Suu Kyi follows a clear pattern by the ruling military over the past decade to prevent her and her political party from assuming power, despite the democratic election they won by a landslide in 1990. Barely a year ago, the Burmese Government released her from 19 months of house arrest, but only after intense international pressure.

Aung San Suu Kyi captured the world's attention as a leader in the prodemocracy movement in her country after her Government refused to let her party take office. She received the Nobel Peace Prize in 1991 for her non-violent efforts to promote democracy. Today, the military rule in Burma has shackled Aung San Suu Kyi again, but the world has not lost notice.

It is time to isolate this oppressive regime and demand the release of those it is holding for doing nothing more than seeking democracy for their nation.

Senator MCCONNELL's bill will sanction the ruling Burmese military junta, strengthen Burma's democratic forces, and support and recognize the National League of Democracy as the legitimate representative of the Burmese people. It is time to increase the pressure on those who seek to snuff out the flame of democracy in a nation whose people clearly support it.

Mr. BAUCUS. Mr. President, I rise today to echo the condemnations of the military rulers of Burma that my colleagues have so forcefully offered.

Burma should by all rights be a prosperous country. It has over 50 million people, abundant natural resources, and a population hungry for democracy.

Instead, it is an international outcast, ruled by a few military men who finance their country through drug trafficking and forced labor.

Perhaps most egregious is the failure of the military rulers to recognize the results of a free and fair election in which the Burmese people overwhelm-

ingly chose Aung San Suu Kyi as their leader. Rather than sitting at the head of a democratic Burmese Government, she is sitting in a Burmese jail, a prisoner of the military rulers.

The existence of a democratically elected government-in-waiting makes Burma unique, but that is not all that makes Burma unique.

Suu Kyi has consistently supported sanctions against the military rulers of Burma, and 3 years ago, the International Labor Organization, for the first time in its 82-year history, urged the world to impose sanctions against those rulers.

The bill we consider today will send a strong message to the illegitimate military regime in Burma that their recent actions in attacking Suu Kyi and her followers and imprisoning Suu Kyi are intolerable. A unanimous passage would send that signal loud and clear.

These sanctions would be most effective if the whole world joined us. Unilateral sanctions can send a strong message, but they are rarely effective. In fact, they can even end up unintentionally adding further misery to an already oppressed people while leaving their rulers unscathed.

Multilateral sanctions, on the other hand, can have a dramatic effect. I know that others are considering sanctions, including the European Union. I applaud their attention to this issue and urge them to act as we have acted.

I also urge the administration to work with our allies, particularly those in the region, to create a united front of sanctions against the military rulers of Burma. We must work toward multilateral support.

Importantly, this bill ensures that Burma will never fade from congressional minds. We will not simply impose sanctions now and then forget all about Burma.

Every year, we will vote on renewing sanctions. Every year, we will be talking about Burma and how best we can work to aid those working for democratic change in that country.

The military rulers of Burma should know that their crimes against Suu Kyi, her followers, and the Burmese people will be neither forgiven nor forgotten.

I appreciate the leadership of Senators MCCONNELL and FEINSTEIN on this issue. They deserve our thanks for consistently bringing the important issue of human suffering in Burma to the attention of this body.

I would also like to thank Senator GRASSLEY. He and I worked hard to make changes to this bill that, in my view, make it better.

I urge my colleagues to pass this bill unanimously today, and I urge the House of Representatives and the President to act soon to pass this bill into law. Let's send the strongest signal possible to the illegitimate regime in Burma.

Mrs. BOXER. Mr. President, 13 years ago, Aung San Suu Kyi and her party,

the National League for Democracy, won an election in Burma with 82 percent of the vote.

It was a clear sign that the Burmese people had rejected its military rulers that had been in place since 1962. Unfortunately, the people of Burma were denied its true leader when the military regime arrested Suu Kyi and thousands of her supporters.

For the past 13 years, Suu Kyi has courageously pushed for democratic reform in Burma through nonviolent means even through she spent a great deal of this time under house arrest. For her bravery and dedication to freedom and democracy, she was awarded the Nobel Peace Prize in 1991.

Last year, the military rulers of Burma released Suu Kyi from house arrest. But, apparently, the strong support Suu Kyi continues to receive from the Burmese people was too much for the ruling military regime.

On May 30, in a northern Burmese town 400 miles from Rangoon, supporters of the military regime attacked Suu Kyi's convoy and had her arrested. Suu Kyi and thousands of her supporters were reportedly injured in the attack. Scores of Suu Kyi supporters were reportedly killed.

The international community must not let this act of brutality stand. That is why I am pleased to cosponsor and support Senator MCCONNELL's legislation to increase sanctions on Burma.

This legislation will impose a total import ban on Burmese goods, freeze the military regime's assets in the United States, tighten the visa ban on Burmese Government officials, and make it U.S. policy to oppose any new international loans to Burma's current leaders.

This is an important step. It is also important to make sure that the international community and regional powers do their part to provide real and sustained pressure on Burma's illegitimate rulers.

I was pleased to see that the United States has sent formal diplomatic requests to 11 nations in the region asking them to pressure the Burmese Government on the release of Suu Kyi.

I also sent a letter to the Japanese Ambassador asking his nation to put more pressure on Burma's military rules after Japan's Foreign Minister indicated that this incident would not set back democratization efforts in Burma. I know our Japanese friends will help us in this important issue of human rights and provide a stronger condemnation of the attack on Suu Kyi.

All nations, the international community, and regional organizations must take a stand against this outrage carried out by Burma's military leaders. We must do our part to support this brave woman and her followers.

Mr. LAUTENBERG. Mr. President, I rise today to support S. 1215 and to express my dismay about the current human rights situation in Burma.

On May 30, opposition leader Aung San Suu Kyi and at least 17 officials of

her party were detained after a violent clash with members of the Union Solidarity Development Association, a government-created organization that has increasingly taken on paramilitary activities.

The military junta that rules Burma has stated that "only" four died in the violence.

But the National League for Democracy, Suu Kyi's party, has put the death toll at 75. Furthermore, it is likely the Burmese Government deliberately provoked the clashes to justify cracking down on opposition leaders and closing down universities.

Since May 30, the junta has kept Suu Kyi, who is the 1991 Nobel Peace Prize recipient, in an undisclosed location.

We have recently received word from a U.N. envoy that Suu Kyi is safe, and members of the Burmese Government have promised that they will release her expeditiously.

I join with my colleagues in this body, and with the American people, in demanding that the Burmese regime fulfill this promise immediately. The Government must also find those responsible for the violence and hold them accountable.

The bill we have before us today addresses the serious human rights situation in Burma. The recent violence and detainment of opposition leaders exemplify Government repression conducted on a systematic and frequent basis.

S. 1215 would punish Burma's dictators, who have a chokehold on the nation's economic life, by barring the import into the United States of goods manufactured in Burma and by freezing the U.S. assets of the regime's leading generals. These are targeted sanctions that would punish the military dictators in Burma, those who are directly responsible for suppressing human rights there.

Nearly 55 years after the Universal Declaration of Human Rights, and only weeks after fighting a war to liberate 24 million Iraqis, the U.S. Senate must remain steadfast in its resolve to preserve the freedom of peoples throughout the world.

As a strong advocate for human rights and democratic governance in Southeast Asia, I call on this body to stand up to the military junta of Burma by passing this important legislation. We need to send a message to these thugs that their brutal reign of oppression and terror does not go unnoticed and will not last.

Mr. MCCONNELL. How much time do I have remaining?

The PRESIDING OFFICER. Five minutes.

Mr. MCCONNELL. I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I believe I have about 5 minutes remaining.

Mr. ALEXANDER. That is correct.

Mr. MCCONNELL. How much time remains on the other side?

The PRESIDING OFFICER. One minute 48 seconds.

Mr. MCCONNELL. Maybe we could get some time on the other side. I yield the remainder of my time to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I thank my colleagues for allowing me to speak on this legislation.

The weekend before last, the military junta in Burma, ironically going by the name of the State Peace and Development Council, staged a violent clash between a government-supported militia called the United Solidarity and Development Association and activists of the National League for Democracy, the NLD.

As reported in the press, during the ensuing assault on the NLD, these thugs attacked the caravan of supporters led by Nobel Peace Prize laureate and democratic activist Aung San Suu Kyi and subsequently detained her and 19 members of the NLD, killed scores of NLD activists and, in the aftermath, closed down universities and NLD offices in the country. This is intolerable. Today I hope this institution can stand tall by roundly condemning this thieving, bantam tyranny that is taking place in Burma.

The regime claims they are detaining her, a Nobel Peace Prize winner, and NLD supporters for their safety. They accuse her of causing unrest and violence and claim she is in danger because of inflammatory speeches she has been giving on her tour of northern Burma.

I find this accusation to be absolutely ridiculous, but nevertheless, a common refrain coming from a government known for flaunting its human rights abuses which include slave labor, rape and forced prostitution, pressing children into the military, all a carefully constructed campaign to terrorize the people of Burma and consolidate the petty kleptocracy.

Aung San Suu Kyi's whereabouts are now known; the UN Secretary General's envoy Mr. Razali Ishmail is in Rangoon working to negotiate her release. I cannot bring myself to believe a word of what the SPDC says. It was reported in the press that she has a serious head injury; however, today I hear that Mr. Razali has seen her and that she is unharmed. My colleague from Kentucky and I do not believe it. And the regime has done nothing to reassure any member of the international community of their intentions. Aung San Suu Kyi is not free, Burma is not free.

In fact, this is part of a clear pattern of continually thwarting the advance

of democracy and freedom in Burma—something for which Aung San Suu Kyi is the living symbol. More than that, she has recruited some of the most talented and most dedicated young people to her cause.

As reported by yesterday's Washington Post, one of those young people was a young man by the name of Toe Lwin. This young man, and many others in NLD like him, dedicated every once of his being to the cause. Bringing change to Burma and protecting Aung San Suu Kyi were the things for which he was willing to die.

This young man died trying to protect her. I am told that she sees all of these dedicated, inspiring young people as her children. I am sure that it breaks her heart to know that blood has been spilt in this effort.

We cannot seek a better tribute to this young man's life than by aiding the cause of democracy by passing this bill.

The SPDC seems like a bunch of bush-league autocrats. But what I want my colleagues to know is that this group of thugs is not just some common banana republic or petty dictatorship.

In 1988, the then-called State Law and Order Restoration Council, SLORC, took power and began its repression of pro-democracy demonstrations. After National Assembly elections in 1990, which were poised to overwhelmingly bring to power Aung San Suu Kyi and the NLD, SLORC annulled the elections, began jailing thousands of democracy activists, suppressed all political liberties, and periodically placed Aung San Suu Kyi under house arrest.

And this is just the opening line of the story. These thugs conscript thousands of their citizens, including children, into the military to serve as porters and to work on state development projects. In addition, narcotics is a big business for the ruling Burmese generals; however, there are some who will claim that we are getting full cooperation in combatting Burma's trade in heroin and amphetamines.

The most recent International Narcotics Control Strategy Report published by the Department of State reads, "Burma is the world's second largest producer of illicit opium." It continues stating "... no Burma Army Officer over the rank of full Colonel has ever been prosecuted for drug offenses in Burma. This fact, the prominent role in Burma of the family of notorious narcotics traffickers, and the continuance of large-scale narcotics trafficking over the years of intrusive military rule have given rise to speculation that some senior military leaders protect or are otherwise involved with narcotics traffickers."

Yet I understand there was an active effort by some embedded bureaucrats to give the junta a free pass on drug certification. We are not dealing with the boy scouts of Southeast Asia.

I think that is the wrong approach to dealing with the problem of the SPDC's

brutal rule. If today's paper is accurate, then it looks as if our government is beginning to take the correct steps to respond to the situation. We have put eleven countries on notice, notably Thailand and China, for their support of Burma.

This may be the mortal blow that weakens the regime. That is why next Wednesday I have planned hearings to discuss the support for the SPDC coming from key players in the region. Some of these countries need to give us some private assurances about their willingness to forgo continued support of the regime. Others need to be put on notice for the degree and nature of support for the SPDC junta.

Singapore, North Korea, Russia, and Malaysia have all been in cooperation or given assistance in the political, economic or military spheres. I will be inviting members of the administration and the NGO community to give their knowledge of on-the-ground support for the SPDC.

This week, the Prime Minister Thaksin Shinawatra of Thailand is in town for an important visit with President Bush. It was reported that the President has already weighed in with the Prime Minister. I hope to do the same when I attend a luncheon today for the Prime Minister hosted by Senator BOND.

Because the can predict the perils of dealing with a thieving, murderous dictatorship, many companies, especially here in the U.S., are avoiding doing business with these guys altogether. Department stores, clothing manufacturers, footwear and apparel companies are all telling the junta to take a hike. Maybe the Senate should consider telling them the same.

I note my personal experience. I was on the Thai-Burma border in late 2000. This was on a trip where we were working on the issue of trafficking in persons, sex trafficking. We found at that point in time in 2000, and it continues today, one of the highest trafficked areas in the world was between Burma and Thailand. What was taking place was the people of Burma were fleeing this totalitarian dictatorship that brutalized its own people. The people of Burma were fleeing into Thailand. On that border, then, they were fresh meat for the people who traffic in persons, primarily for sex exploration, primarily of young girls. We saw girls 11, 12, 13 years of age, even younger, being taken—abducted in some cases—and in some cases sold because the family was so poor, sold into what they thought was a condition they would serve someone in a home or work in a restaurant. Instead, they were put in a brothel in Bangkok or someplace else in Thailand to a horrific environment at this very young age, with most of them contracting AIDS, tuberculosis, and dying at a young age. This was one of the key traffic areas of the world. It was being caused by this government in Burma that cared nothing about its people.

These were the most wonderful people in the world. They were trying to

eke out some mere existence. This was a government that cared absolutely nothing at all about them.

Now they have gone and arrested the Nobel Prize-winning activist, democracy activist who has done this in a peaceful way in Burma to try to bring her country forward. They have taken the next step down the road on this anarchy of horrific treatment of their own people, a complete movement against the way the rest of the world is moving.

I support this resolution. It is very timely. I applaud Senator MCCONNELL for his work. It is important we send this message that this regime is treating its own people so badly that these sorts of conditions arise. We need to be on record. The rest of the world needs to be on record to press this regime to stop persecuting its own people in such terrible ways.

I hope this will send a message to the regime in Burma and to people around the rest of the world that we will continue to bring economic and diplomatic pressure in a quick fashion against this regime in Burma. This should not wait for years to develop.

Furthermore, there are big questions many times about whether these sanctions work. Against a big economy there are legitimate questions. Against a small economy, against a situation in a country such as Burma, where it is located, I think these work very well and it sends an extraordinary message to Burma. It also sends a big message to Thailand, which is a key country for us, to get their attention that they should not repatriate the Burmese back into Burma and we should recognize the refugee status for the Burmese in Thailand, a country that wants to work closely and carefully with us.

I yield the floor.

Mr. MCCONNELL. Mr. President, I thank the Senator from Kansas for his contribution. I am not aware of any more speakers on this side.

Mr. LEAHY. Nor on this side. I am willing to yield back the remainder of the time.

Mr. MCCONNELL. Therefore, I ask unanimous consent all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 220 Leg.]

YEAS—97

Akaka	Dodd	Lott
Alexander	Dole	Lugar
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Edwards	Miller
Bennett	Ensign	Murkowski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Bond	Fitzgerald	Nelson (NE)
Boxer	Frist	Nickles
Breaux	Graham (FL)	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carper	Hollings	Sessions
Chafee	Hutchison	Shelby
Chambliss	Inhofe	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kohl	Sununu
Cornyn	Kyl	Talent
Corzine	Landrieu	Thomas
Craig	Lautenberg	Voinovich
Crapo	Leahy	Warner
Daschle	Levin	Wyden
Dayton	Lieberman	
DeWine	Lincoln	

NAYS—1

Enzi

NOT VOTING—2

Kerry

Schumer

The bill (S. 1215), as amended, was passed, as follows:

S. 1215

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Burmese Freedom and Democracy Act of 2003".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The State Peace and Development Council (SPDC) has failed to transfer power to the National League for Democracy (NLD) whose parliamentarians won an overwhelming victory in the 1990 elections in Burma.

(2) The SPDC has failed to enter into meaningful, political dialogue with the NLD and ethnic minorities and has dismissed the efforts of United Nations Special Envoy Razali bin Ismail to further such dialogue.

(3) According to the State Department's "Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma" dated March 28, 2003, the SPDC has become "more confrontational" in its exchanges with the NLD.

(4) On May 30, 2003, the SPDC, threatened by continued support for the NLD throughout Burma, brutally attacked NLD supporters, killed and injured scores of civilians, and arrested democracy advocate Aung San Suu Kyi and other activists.

(5) The SPDC continues egregious human rights violations against Burmese citizens, uses rape as a weapon of intimidation and torture against women, and forcibly conscripts child-soldiers for the use in fighting indigenous ethnic groups.

(6) The SPDC has demonstrably failed to cooperate with the United States in stopping the flood of heroin and methamphetamines being grown, refined, manufactured, and transported in areas under the control of the SPDC serving to flood the region and much of the world with these illicit drugs.

(7) The SPDC provides safety, security, and engages in business dealings with narcotics traffickers under indictment by United States authorities, and other producers and traffickers of narcotics.

(8) The International Labor Organization (ILO), for the first time in its 82-year history, adopted in 2000, a resolution recommending that governments, employers, and workers organizations take appropriate measures to ensure that their relations with the SPDC do not abet the government-sponsored system of forced, compulsory, or slave labor in Burma, and that other international bodies reconsider any cooperation they may be engaged in with Burma and, if appropriate, cease as soon as possible any activity that could abet the practice of forced, compulsory, or slave labor.

(9) The SPDC has integrated the Burmese military and its surrogates into all facets of the economy effectively destroying any free enterprise system.

(10) Investment in Burmese companies and purchases from them serve to provide the SPDC with currency that is used to finance its instruments of terror and repression against the Burmese people.

(11) On April 15, 2003, the American Apparel and Footwear Association expressed its "strong support for a full and immediate ban on U.S. textiles, apparel and footwear imports from Burma" and called upon the United States Government to "impose an outright ban on U.S. imports" of these items until Burma demonstrates respect for basic human and labor rights of its citizens.

(12) The policy of the United States, as articulated by the President on April 24, 2003, is to officially recognize the NLD as the legitimate representative of the Burmese people as determined by the 1990 election.

### **SEC. 3. BAN AGAINST TRADE THAT SUPPORTS THE MILITARY REGIME OF BURMA.**

#### **(a) GENERAL BAN.—**

(1) IN GENERAL.—Notwithstanding any other provision of law and except as provided in section 9, until such time as the President determines and certifies to Congress that Burma has met the conditions described in paragraph (3), no article may be imported into the United States that is produced, mined, manufactured, grown, or assembled in Burma.

(2) BAN ON IMPORTS FROM CERTAIN COMPANIES.—The import restrictions contained in paragraph (1) shall apply to, among other entities—

(A) the SPDC, any ministry of the SPDC, a member of the SPDC or an immediate family member of such member;

(B) known narcotics traffickers from Burma or an immediate family member of such narcotics trafficker;

(C) the Union of Myanmar Economics Holdings Incorporated (UMEHI) or any company in which the UMEHI has a fiduciary interest;

(D) the Myanmar Economic Corporation (MEC) or any company in which the MEC has a fiduciary interest;

(E) the Union Solidarity and Development Association (USDA); and

(F) any successor entity for the SPDC, UMEHI, MEC, or USDA.

(3) CONDITIONS DESCRIBED.—The conditions described in this paragraph are the following:

(A) The SPDC has made substantial and measurable progress to end violations of internationally recognized human rights in-

cluding rape, and the Secretary of State, after consultation with the ILO Secretary General and relevant nongovernmental organizations, reports to the appropriate congressional committees that the SPDC no longer systematically violates workers rights, including the use of forced and child labor, and conscription of child-soldiers.

(B) The SPDC has made measurable and substantial progress toward implementing a democratic government including—

(i) releasing all political prisoners;

(ii) allowing freedom of speech and the press;

(iii) allowing freedom of association;

(iv) permitting the peaceful exercise of religion; and

(v) bringing to a conclusion an agreement between the SPDC and the democratic forces led by the NLD and Burma's ethnic nationalities on the transfer of power to a civilian government accountable to the Burmese people through democratic elections under the rule of law.

(C) Pursuant to the terms of section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228), Burma has not failed demonstrably to make substantial efforts to adhere to its obligations under international counternarcotics agreements and to take other effective counternarcotics measures, including the arrest and extradition of all individuals under indictment in the United States for narcotics trafficking, and concrete and measurable actions to stem the flow of illicit drug money into Burma's banking system and economic enterprises and to stop the manufacture and export of methamphetamines.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this Act, the term "appropriate congressional committees" means the Committee on Foreign Relations, the Committee on Finance, and the Committee on Appropriations of the Senate and the Committee on International Relations, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

#### **(b) WAIVER AUTHORITIES.—**

(1) IN GENERAL.—The President may waive the prohibitions described in this section for any or all products imported from Burma to the United States if the President determines and notifies the appropriate congressional committees that to do so is in the vital national security interest of the United States.

(2) INTERNATIONAL OBLIGATIONS.—The President may waive any provision of this Act found to be in violation of any international obligations of the United States pursuant to any final ruling relating to Burma under the dispute settlement procedures of the World Trade Organization.

### **SEC. 4. FREEZING ASSETS OF THE BURMESE REGIME IN THE UNITED STATES.**

Not later than 60 days after the date of enactment of this Act, the Secretary of the Treasury shall direct, and promulgate regulations to the same, that any United States financial institution holding funds belonging to the SPDC or the assets of those individuals who hold senior positions in the SPDC or its political arm, the Union Solidarity Development Association, shall promptly report those assets to the Office of Foreign Assets Control. The Secretary of the Treasury may take such action as may be necessary to secure such assets or funds.

### **SEC. 5. LOANS AT INTERNATIONAL FINANCIAL INSTITUTIONS.**

The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose, and vote against the ex-

tension by such institution of any loan or financial or technical assistance to Burma until such time as the conditions described in section 3(a)(3) are met.

### **SEC. 6. EXPANSION OF VISA BAN.**

#### **(a) IN GENERAL.—**

(1) VISA BAN.—The President is authorized to deny visas and entry to the former and present leadership of the SPDC or the Union Solidarity Development Association.

(2) UPDATES.—The Secretary of State shall coordinate on a biannual basis with representatives of the European Union to ensure that an individual who is banned from obtaining a visa by the European Union for the reasons described in paragraph (1) is also banned from receiving a visa from the United States.

(b) PUBLICATION.—The Secretary of State shall post on the Department of State's website the names of individuals whose entry into the United States is banned under subsection (a).

### **SEC. 7. CONDEMNATION OF THE REGIME AND DISSEMINATION OF INFORMATION.**

(a) IN GENERAL.—Congress encourages the Secretary of State to highlight the abysmal record of the SPDC to the international community and use all appropriate fora, including the Association of Southeast Asian Nations Regional Forum and Asian Nations Regional Forum, to encourage other states to restrict financial resources to the SPDC and Burmese companies while offering political recognition and support to Burma's democratic movement including the National League for Democracy and Burma's ethnic groups.

(b) UNITED STATES EMBASSY.—The United States embassy in Rangoon shall take all steps necessary to provide access of information and United States policy decisions to media organs not under the control of the ruling military regime.

### **SEC. 8. SUPPORT DEMOCRACY ACTIVISTS IN BURMA.**

(a) IN GENERAL.—The President is authorized to use all available resources to assist Burmese democracy activists dedicated to nonviolent opposition to the regime in their efforts to promote freedom, democracy, and human rights in Burma, including a listing of constraints on such programming.

#### **(b) REPORTS.—**

(1) FIRST REPORT.—Not later than 3 months after the date of enactment of this Act, the Secretary of State shall provide the appropriate congressional committees a comprehensive report on its short- and long-term programs and activities to support democracy activists in Burma, including a list of constraints on such programming.

(2) REPORT ON RESOURCES.—Not later than 6 months after the date of enactment of this Act, the Secretary of State shall provide the appropriate congressional committees a report identifying resources that will be necessary for the reconstruction of Burma, after the SPDC is removed from power, including—

(A) the formation of democratic institutions;

(B) establishing the rule of law;

(C) establishing freedom of the press;

(D) providing for the successful reintegration of military officers and personnel into Burmese society; and

(E) providing health, educational, and economic development.

(3) REPORT ON TRADE SANCTIONS.—Not later than 90 days before the date that the import restrictions contained in section 3(a)(1) are to expire, the Secretary of State, in consultation with the United States Trade Representative and other appropriate agencies, shall submit to the appropriate congressional committees, a report on—

(A) conditions in Burma, including human rights violations, arrest and detention of democracy activists, forced and child labor, and the status of dialogue between the SPDC and the NLD and ethnic minorities;

(B) bilateral and multilateral measures undertaken by the United States Government and other governments to promote human rights and democracy in Burma; and

(C) the impact and effectiveness of the provisions of this Act in furthering the policy objectives of the United States toward Burma.

#### SEC. 9. DURATION OF SANCTIONS.

(a) TERMINATION BY REQUEST FROM DEMOCRATIC BURMA.—The President may terminate any provision in this Act upon the request of a democratically elected government in Burma, provided that all the conditions in section 3(a)(3) have been met.

(b) CONTINUATION OF IMPORT SANCTIONS.—

(1) EXPIRATION.—The import restrictions contained in section 3(a)(1) shall expire 1 year from the date of enactment of this Act unless renewed under paragraph (2) of this section.

(2) RESOLUTION BY CONGRESS.—The import restrictions contained in section 3(a)(1) may be renewed annually for a 1-year period if, prior to the anniversary of the date of enactment of this Act, and each year thereafter, a renewal resolution is enacted into law in accordance with subsection (c).

(c) RENEWAL RESOLUTIONS.—

(1) IN GENERAL.—For purposes of this section, the term “renewal resolution” means a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: “That Congress approves the renewal of the import restrictions contained in section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003.”

(2) PROCEDURES.—

(A) IN GENERAL.—A renewal resolution—

(i) may be introduced in either House of Congress by any member of such House at any time within the 90-day period before the expiration of the import restrictions contained in section 3(a)(1); and

(ii) the provisions of subparagraph (B) shall apply.

(B) EXPEDITED CONSIDERATION.—The provisions of section 152 (b), (c), (d), (e), and (f) of the Trade Act of 1974 (19 U.S.C. 2192 (b), (c), (d), (e), and (f)) apply to a renewal resolution under this Act as if such resolution were a resolution described in section 152(a) of the Trade Act of 1974.

Mr. SANTORUM. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ENERGY POLICY ACT OF 2003— Continued

Mr. REID. Mr. President, in speaking to the managers of the bill and the interested parties in this matter, the thought is—and this is not in the way of a unanimous consent request but just to inform Members what we are doing—the Senator from Florida will offer his amendment. He will speak on it tonight. Perhaps the other Senator from Florida, Mr. NELSON, will speak on his amendment. There are a number

of Senators who have requested time in the morning.

The manager of the bill has suggested—and we think it would be OK on our side—that tomorrow we would have an hour on our side and the majority would have 30 minutes on their side, and then the two leaders can decide if we vote at that time or sometime later in the day. Staff is putting that in the form of a unanimous consent request, and perhaps we can enter into that sometime later tonight.

Mr. DOMENICI. We are looking for a unanimous consent request that says in the morning 1 additional hour on that side, a half hour on our side on the Graham amendment, and afterwards there will be a vote. That is being prepared. In the meantime, the Graham amendment is going to be offered for discussion this evening.

The PRESIDING OFFICER. The Senator from Florida.

#### AMENDMENT NO. 884

Mr. GRAHAM of Florida. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself, Mrs. FEINSTEIN, Ms. CANTWELL, Mr. WYDEN, Mr. NELSON of Florida, Mrs. BOXER, Mr. LAUTENBERG, Mr. EDWARDS, Mr. KERRY, Mrs. MURRAY, Mr. LIEBERMAN, Mr. AKAKA, Mr. LEAHY, Ms. SNOWE, Mr. DODD, Mr. CHAFEE, Mrs. DOLE, Mr. KENNEDY, Mr. CORZINE, and Ms. COLLINS, proposes an amendment numbered 884.

Mr. GRAHAM of Florida. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provision requiring the Secretary of the Interior to conduct an inventory and analysis of oil and natural gas resources beneath all of the waters of the outer Continental Shelf)

Beginning on page 23, strike line 20 and all that follows through page 25, line 8.

Mr. GRAHAM of Florida. Mr. President, the amendment I have just offered will strike section 105 from the legislation we are currently considering.

This amendment is cosponsored by a long and diverse list of Senators: Senators FEINSTEIN, DOLE, CANTWELL, WYDEN, NELSON of Florida, BOXER, LAUTENBERG, EDWARDS, KERRY, MURRAY, LIEBERMAN, AKAKA, LEAHY, SNOWE, DODD, CHAFEE, KENNEDY, CORZINE, and COLLINS.

In this legislation, section 105 appears to be benign. It calls for an inventory of Outer Continental Shelf oil and gas resources that may be in the ownership of the Federal Government. However, there are some insidious objectives and means to achieve those objectives in this legislation.

In my judgment, section 105 is nothing more than a prelude to a direct at-

tack on the moratorium which currently exists in the Gulf of Mexico, off New England, the Pacific Northwest, and California, and to do so in a way that will avoid a full and public debate.

The OCS inventory, which is suggested in section 105, is neither benign nor innocuous. It will provide for a totally duplicative survey to one that is already conducted by the same office that would be directed to do the study under section 105, which is the U.S. Department of the Interior Minerals Management Service. This is the front page of the latest of the 5-year reports, which the Mineral Management Service does on U.S. resources and reserves in the Outer Continental Shelf. As you will see, this latest assessment was done in the year 2000. So it has been only 3 years since we had a comprehensive analysis.

In light of that, why would we oppose this new study? We would oppose the new study because we think it is duplicative and redundant. We oppose it because it would allow certain techniques, which have previously not been used but which have been shown to be detrimental to the resources of the Outer Continental Shelf, including the fish resources, to be utilized. But, in my judgment, the most insidious aspect is a provision in section 105 which states that after the inventory is completed it should be used as the purpose of analysis of the Outer Continental Shelf. Let me read to you subparagraph 5 under section 105:

The inventory and analysis shall identify and explain how legislative, regulatory, and administrative programs or processes restrict or impede the development of identified resources and the extent that they may affect domestic supply, such as moratoria, lease terms and conditions, operational stipulations and requirements, approval delays by the Federal Government and coastal States, and local zoning restrictions on on-shore processing facilities, and pipeline landings.

I think that language is clearly intended to take the results of this newly mandated inventory and use them as the basis, focusing exclusively on the issue of affecting domestic supply, to build the case that the moratoria, which California and other coastal States have had now for 20 years, would be undermined.

That moratoria has been voted on by Congress on many occasions in recognition of the fact that, first, there are other interests involved beyond maximizing the exploitation of our Continental Shelf oil and gas resources. There are issues of the environment and there are issues of the economy, which are dependent upon the environment—particularly, the purity of the water and the security of the coastal areas.

Second is the fact that it does not take into consideration the question of we want to have a domestic supply of oil and gas, but for what time period? If we were to initiate a policy that says we will drain America first, we can rest assured that our grandchildren, if not